

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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NEW JERSEY REGIONAL	:	
COUNCIL OF CARPENTERS;	:	
NEW JERSEY CARPENTERS	:	
BENEFIT FUNDS; and ZAZZALI,	:	
FAGELLA, NOWAK,	:	CIVIL ACTION NO. 05-1893 (JCL)
KLEINBAUM & FRIEDMAN, P.C.	:	
	:	
Petitioners,	:	<b>MEMORANDUM AND ORDER</b>
	:	<b>TURNOVER OF FUNDS</b>
v.	:	
	:	
	:	
PARLON CONTRACTING CORP.;	:	
INTEGRITY CONSTRUCTION; and	:	
SANDORA & SPINA, INC.	:	
	:	
Respondents.	:	
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**LIFLAND, District Judge**

Petitioners New Jersey Regional Council of Carpenters and New Jersey Carpenters Benefit Funds ask the Court to compel the turnover of funds to them, pursuant to a judgment entered against Respondent Sandora & Spina, Inc. Petitioners’ motion will be granted.

On May 9, 2005, this Court entered an Order and Judgment Confirming Arbitration Award against Respondent in the amount of \$38,811.16. Pursuant to a Writ of Execution, Petitioners’ counsel levied upon Respondent’s bank account at Bank of America, in the amount of \$17,670.75. (O’Hare Aff. ¶ 4.) Petitioners now seek a turnover of this amount in partial satisfaction of the judgment.

District courts have the authority under Federal Rule of Civil Procedure 69(a) to enforce judgments by execution. Here, the record indicates that pursuant to a Writ of Execution, Petitioners' counsel levied upon Respondent's account at Bank of America on June 7, 2005. On June 23, 2005, Respondent was served with a Notice to Debtor informing it that the Writ of Execution had been served upon Bank of America. The Court is thus satisfied that Bank of America was properly served with the Writ in accordance with Rule 69(a).

Accordingly, **IT IS** on this 23<sup>rd</sup> day of September 2005,

**ORDERED** that the motion of Petitioners New Jersey Regional Council of Carpenters and New Jersey Carpenters Benefit Funds for turnover of funds belonging to Respondent Sandora & Spina, Inc. is granted; and it is further

**ORDERED** that Bank of America turn over to Petitioners New Jersey Regional Council of Carpenters and New Jersey Carpenters Benefit Funds, through its counsel Zazzali, Fagella, Nowak, Kleinbaum & Friedman, \$17,670.75 to partially satisfy the judgment entered against Respondent Sandora & Spina, Inc. on May 9, 2005.

/s/ John C. Lifland, U.S.D.J.